

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

MEGAN KELLEY, §
Plaintiff, § Civil Action No. 4:21-cv-818-SDJ
v. §
ATRIUM HOSPITALITY LP, § JURY TRIAL DEMANDED
Defendant. §

AGREED MOTION TO DISMISS WITH PREJUDICE

By mutual agreement of the Parties in this case, Plaintiff Megan Kelley (“Plaintiff”) and Defendant Atrium Hospitality LP (“Defendant”) (collectively, (the “Parties”)), hereby move this Court to dismiss all claims brought against Defendant *with prejudice*. The Parties further request that this Court order dismissal with each party bearing her/its own expenses and costs of court, including attorneys’ fees, and request that the Court enter the attached proposed form of Agreed Order of Dismissal With Prejudice.

Respectfully submitted,

/s/ Daryl J. Sinkule
Daryl J. Sinkule
Texas State Bar No. 24037502
djs@kilgorelaw.com

KILGORE & KILGORE, PLLC
3109 CARLISLE STREET
Dallas, Texas 75204
Telephone: (214) 969-9099
Facsimile: (214) 379-0843

**ATTORNEYS FOR PLAINTIFF
MEGAN KELLEY**

-AND-

/s/ Buena Vista Lyons
Buena Vista Lyons
Texas Bar No. 00797630
vlyons@fordharrison.com

FORDHARRISON LLP
1601 Elm Street, Suite 4450
Dallas, Texas 75201
Telephone: (214) 256-4700
Facsimile: (214) 256-4701

**ATTORNEYS FOR DEFENDANT
ATRIUM, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of February 2022, a true and accurate copy of the foregoing ***Agreed Motion to Dismiss with Prejudice*** was filed with the Clerk of Court using the CM/ECF system that will send notification of such filing to all counsel of record.

/s/ Daryl J. Sinkule
Daryl J. Sinkule

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

MEGAN KELLEY, §
Plaintiff, § Civil Action No. 4:21-cv-818-SDJ
v. §
ATRIUM HOSPITALITY LP, § JURY TRIAL DEMANDED
Defendant. §

AGREED ORDER OF DISMISSAL WITH PREJUDICE

For the reasons set forth in the Parties' Agreed Motion to Dismiss With Prejudice, it is ORDERED, ADJUDGED, AND DECREED that the above-captioned action and all claims brought by Plaintiff therein against Defendant are dismissed with prejudice.

It is further ORDERED, ADJUDGED, AND DECREED that each party shall bear her/its own expenses and costs of court, including attorneys' fees.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all relief which was sought or which could have been sought herein, not expressly granted herein is denied.

This Order constitutes a final judgment and disposes of all parties and all claims. SO ORDERED this ____ day of February, 2022.

SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE

AGREED AS TO FORM AND CONTENT:

By: /s/ Daryl J. Sinkule

Daryl J. Sinkule
djs@kilgorelaw.com
Texas State Bar No. 24037502
**e-signed with permission*
KILGORE LAW CENTER
3109 Carlisle Street
Dallas, Texas 75204
Telephone: (214) 969-9099
Facsimile: (214) 379-0843

ATTORNEY FOR PLAINTIFF
MEGAN KELLEY

By: /s/ Buena Vista Lyons

Buena Vista Lyons
Texas Bar No. 00797630
vlyons@fordharrison.com
FORDHARRISON LLP
1601 Elm Street, Suite 4450
Dallas, TX 75201
Telephone: (214) 256-4705
Facsimile: (214) 256-4701

ATTORNEY FOR DEFENDANT
atrium, inc.

WSACTIVEVLLP:12862484.1